IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN INSOLVENCY

NOTICE OF MOTION NO. 7 OF 2006

IN

NOTICE NO. N/398 OF 2004

Re: Ajit V. Hegde
and Anand V. Hegde...Judg Debtors

Ex-Parte :
Ravi H. Panchmatia ...Judg. Creditors

NOTICE OF MOTION NO. 8 OF 2006

IN

NOTICE NO. N/399 OF 2004

Re: Ajit V. Hegde
and Anand V. Hegde...Judg Debtors

Ex-Parte :
Ravi H. Panchmatia ...Judg. Creditors

NOTICE OF MOTION NO. 9 OF 2006

IN

NOTICE NO. N/400 OF 2004

Re: Ajit V. Hegde

and Anand V. Hegde...Judg Debtors

Ex-Parte :
P.S. Dosani and anr. ...Judg. Creditors

NOTICE OF MOTION NO. 10F 2006

IN

NOTICE NO. N/401 OF 2004

Re: Ajit V. Hegde
and Anand V. Hegde...Judg Debtors

Ex-Parte :
P.S. Dosani and anr. ...Judg. Creditors

Mr. H.V. Chande for judgment creditors.
Mr. Kansara for judgment debtors no. 1 and 2.

CORAM: S.U. KAMDAR, J.

DATED: 18TH APRIL, 2006.

P.C. :

1. All the present Notice of Motions are taken out for setting aside the insolvency notice. The only ground raised is that there is an appeal filed against the decree on the basis of which the

insolvency notice has been taken out. However it is an admitted position that the conditional stay was granted in the execution of the decree but the judgment debtor has failed to comply with the said condition. In view thereof there is no ground made out for setting aside the Insolvency notice. There is a valid executable decree and therefore there is no substance in the contention that till the appeal is heard the insolvency proceedings should not be proceeded with. In view thereof all the motions are dismissed. No order as to costs.

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